## REMARKS

Claims 6 to 10 are now pending in the present application.

It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Claims 6, 7, 9, and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,513,829 ("Zumpano") in view of U.S. Patent No. 5,748,075 ("Dirmeyer").

In rejecting a claim under 35 U.S.C. § 103(a), the Office bears the initial burden of presenting a *prima facie* case of obviousness. In re Rijckaert, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish prima facie obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. In re Fine, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. In re Vaeck, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Second, there must be a reasonable expectation of success. In re Merck & Co., Inc., 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim features. In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Claim 6 has been rewritten to further clarify the meaning of *impact* as it is plainly described in the specification. Claim 6, as presented, includes the feature of *at least two pressure sensors each* ***detecting an impact to a vehicle*** *based on adiabatic pressure increase.* Even if the pressure sensor assembly referred to by the "Zumpano" reference were to detect an impact to the inflatable members, the "Zumpano" reference does not in any way disclose nor suggest a pressure sensor assembly that **detects an impact to a vehicle**, as provided for in the claimed subject matter.

In fact, the pressure sensor assembly of the "Zumpano" reference is significantly different from the pressure sensors as provided for by the claimed subject matter. The pressure sensor assembly of the "Zumpano" reference "is structured to detect the pressure inside a plurality of internally disposed chambers within each of the inflatable members." (Zumpano, col. 5 lines 24-26.) The impact to the vehicle in the "Zumpano" reference is detected by "at least one of a plurality of impact sensors [that is] located on the vehicle and connected to the . . . processor [and] communicates in micro-seconds the occurrence of an impact of sufficient predetermined force to possibly cause injury to the occupant within the

passenger compartment. Upon such indication, the processor activates also within micro-seconds a source of fluid or other inflatable material and/or the valve assembly to cause an initial inflation and resulting deployment of at least some of a plurality of inflatable members." (Zumpano, col. 5 lines 46-55.) Thus, the *impact sensors* initiate the inflation and deployment of the inflatable members and once the inflatable members are deployed, the pressure sensor assembly works to detect a change in pressure within the inflatable members caused by contact with the vehicle occupant. In stark contrast, the present application describes a device in which *the pressure sensors each* ***detect an impact to the vehicle*** based on adiabatic pressure increase. It is respectfully submitted that any review of the "Zumpano" reference makes plain that it does not disclose nor suggest this feature, as provided for in the context of the claimed subject matter.

Furthermore, even if the "Zumpano" and "Dirmeyer" references are combined (the properness of which is not conceded), it does not render unpatentable claim 6. Claim 6 includes the features of at least two pressure sensors each detecting an impact to a vehicle based on adiabatic pressure increase, in which the at least two pressure sensors are *connectable to the processor* to communicate at least one pressure value each to the processor, the processor being configured to perform an impact sensing based on the at least one pressure value, and *in which the processor is connectable to at least one vehicle system besides said two pressure sensors to transmit the at least one pressure value to the at least one vehicle system.* Although the "Dirmeyer" reference may refer to pressure sensors that sense an impact to a vehicle, combining this feature with the "Zumpano" reference still does not provide the claimed subject matter. Even if the impact sensors of the "Zumpano" reference corresponded to the pressure sensors of the "Dirmeyer" reference, the features of claim 6 would not be disclosed nor suggested because the sensors of the "Zumpano" reference are not *connectable to a processor in which the processor is connectable to at least one vehicle system besides said two pressure sensors to transmit the at least one pressure value to the at least one vehicle system*, as required by the claimed subject matter. In fact, the impact sensors of the "Zumpano" reference apparently only concerns initiating the inflation and deployment of the inflatable members.

Accordingly, claim 6 is allowable as are its dependent claims 7, 9 and 10.

Claim 8 was rejected under 35 U.S.C. § 103(a) as unpatentable over "Zumpano" in view of "Dirmeyer" and further in view of U.S. Patent No. 6,269,903 ("Bohner").

Claim 8 depends from claim 6, and is therefore allowable for the same reasons as claim 6 since the secondary "Bohner" reference does not overcome — and is not asserted to overcome — the critical shortcomings of the primary "Zumpano" reference in view of the "Dirmeyer" reference.

In summary, all of pending claims 6 to 10 are allowable.

## Conclusion

In view of the foregoing, it is respectfully submitted that all pending claims 6 to 10 are in condition for allowance. It is therefore respectfully requested that the rejections (and any objections) be withdrawn. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is respectfully requested.

Respectfully submitted,
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